

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PAUL PESCE, on behalf of himself and  
All others similarly situated,

Plaintiff,

ANSWER

08 CIV 5179

-against-

NELSON, WATSON & ASSOCIATES, LLC,

Defendant(s).

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Defendant, by its attorney MEL S. HARRIS AND ASSOCIATES,  
LLC, answer plaintiff's complaint as follows:

1. Defendant acknowledges that this matter has been brought pursuant to the Fair Debt Collection Practices Act, but denies any violation of that statute.

2. Defendant admits that the Court has jurisdiction over this matter.

3. Defendant admits the allegations contained in paragraph "3" of the complaint.

4. Defendant denies knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "4" of the complaint.

5. Defendant admits the allegations contained in paragraph "5" of the complaint.

6. Defendant denies each and every allegation contained in paragraph "6" of the complaint.

7. Defendant denies each and every allegation contained in paragraph "7" of the complaint.

8. Defendant denies each and every allegation contained in paragraph "8" of the complaint.

9. Defendant denies each and every allegation contained in paragraph "9" of the complaint.

10. Defendant denies each and every allegation contained in paragraph "10" of the complaint.

11. Defendant denies each and every allegation contained in paragraph "11" of the complaint.

12. Defendant denies each and every allegation contained in paragraph "12" of the complaint.

13. Defendant denies knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "13" of the complaint.

14. Defendant denies each and every allegation contained in paragraph "14" of the complaint.

15. Defendant admits sending plaintiff correspondence dated December 26, 2007, but otherwise denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph "15" of the complaint.

16. Defendant denies knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "16" of the complaint.

17. Defendant denies each and every allegation contained in paragraph "17" of the complaint.

18. Defendant denies each and every allegation contained in paragraph "18" of the complaint.

18. Defendant denies each and every allegation contained in paragraph 18 of the complaint.

19. Defendant denies each and every allegation contained in paragraph "19" of the complaint.

**AS AND FOR A FIRST AFFIRMATIVE DEFENSE**

20. Any violation of law by defendant, which is specifically denied, was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error.

WHEREFORE, the Defendant respectfully requests that plaintiff's complaint be dismissed.

Dated: New York, NY  
July 29, 2008



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